

PATENT COOPERATION TREATY

REC'D 26 AUG 2004

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From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2004/007844

International filing date (day/month/year)
15.03.2004

Priority date (day/month/year)
25.03.2003

International Patent Classification (IPC) or both national classification and IPC
G07F17/32, G06F21/00

Applicant
IGT

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2004/007844

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

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Box No. II Priority

1. ☒ The following document has not been furnished:

- ☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).
- ☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	27-51
	No: Claims	1-26
Inventive step (IS)	Yes: Claims	
	No: Claims	1-51
Industrial applicability (IA)	Yes: Claims	1-51
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

1. The following documents are referred to in this communication:

D1 : US 2002/142844 A1 (KERR MICHAEL A) 3 October 2002 (2002-10-03)
D2 : US 5 768 382 A (JORASCH JAMES ET AL) 16 June 1998 (1998-06-16)
D3 : EP 1 231 577 A2 (WMS GAMING) 14 August 2002 (2002-08-14)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 and 14 is not new in the sense of Article 33(2) PCT for the following reasons:

Document D1 discloses (the references in parenthesis applying to this document) an authentication server (34), comprising a network communications circuit (64) and a controller (42), wherein the controller is programmed to receive an access request (72) including biometric data, to compare the received biometric data with data in a database (40), to determine whether a person is allowed to play on a gaming machine based on the comparison (cf. paragraph 35) and to determine whether the gaming machine is in a permitted location (cf. paragraph 65). Furthermore, document D1 discloses a method (cf. claim 13) of operating said authentication server.

3. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 27 and 40 is not inventive in the sense of Article 33(3) PCT for the following reasons:

Document D1 discloses (the references in parenthesis applying to this document) a gaming server (36), comprising a network communications circuit (cf. figure 2) and a controller (84) being programmed to cause first display data to be transmitted to a gaming unit (cf. paragraph 79-81) when play is permitted based on biometric data of the player (cf. paragraph 35). Furthermore, document D1 discloses a method of operating said gaming server. The subject-matter of claims 27 and 40 therefore differs from this known gaming server in that the gaming server is programmed to receive game play selection data. The problem to be solved by the present invention may therefore be regarded as allowing a variety of games to be played on a single machine. The provision of enhanced playing capabilities by introducing the option of game selection is however generally known, see for example document D3 (abstract). The skilled person would therefore regard it as a normal design option to include

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AUTHORITY (SEPARATE SHEET)**

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this feature in the gaming server described in document D1 in order to solve the problem posed.

4. Dependent claims 2-13, 15-26, 28-39, 41-51 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).
5. It is noted, that claims 1-51 do not meet the requirements of the PCT in respect of novelty and/or inventive step in the light of prior art document D2 either.